



UNODC

United Nations Office on Drugs and Crime



Addressing the **global prison crisis**

STRATEGY 2015-2017

“Imprisonment has become an almost automatic response rather than a last resort [...]. Furthermore, the penitentiary system in most countries is no longer aimed at the reformation and social rehabilitation of convicts, but simply aims to punish by locking offenders away.”

Juan Mendez, United Nations Special Rapporteur on Torture (A/68/295, 2013)

THE GLOBAL PRISON CRISIS

A large number of prison systems around the world are at a stage of crisis, the serious effects of which harm prisoners, their families and societies as a whole. The reality in many prisons tends to be not only far from international standards, but also risks undermining the ultimate purpose of a sentence of imprisonment: the protection of society from crime. While the nature of the prison crisis is multidimensional, it manifests itself in the following ways:

Continuing growth of prison populations and prison overcrowding

It is estimated that more than 10.2 million people were held in penal institutions worldwide in 2013, with an average imprisonment rate of 144 prisoners per 100,000 of the world population. In the same year, 114 national prison administrations operated on the basis of an occupancy level of over 100 per cent.

The severe costs of imprisonment

Imprisonment disproportionately affects people living in poverty and imprisoning large segments of society places a significant burden on State budgets.

Inadequate prison conditions

Despite regional differences, prison overcrowding has developed into an acute global challenge, and poses a major obstacle for the implementation of the Standard Minimum Rules for the Treatment of Prisoners.

Challenges meeting core functions of imprisonment

When penitentiary systems are overstretched and poorly managed, prisons run the risk of degenerating into dangerous places for both prisoners and prison staff and can even turn into “crime schools” and fertile breeding grounds for radicalization.



Factors contributing to the crisis

Poor prison conditions are, in large part, symptomatic of systemic deficiencies in a State's criminal justice system and/or policies, including:

.....
Insufficient measures to prevent crime, in particular youth crime

.....
Excessive use of pre-trial detention

.....
Lack of access to legal advice and assistance

.....
Punitive criminal justice policies and inappropriate use of imprisonment

.....
Scarce use of alternatives to imprisonment

.....
Insufficient measures to promote social reintegration

.....
Inadequate prison management and infrastructure

.....
Detention used as a first resort for children in conflict with the law

.....
Specific needs of women offenders and prisoners not met

THE RIGHT MANDATE

Within the United Nations system, UNODC is ideally placed to assist Member States in addressing the prison crisis by supporting human rights-compliant penal reform initiatives. The Office supports the implementation of international standards and norms on crime prevention and criminal justice and serves as the secretariat for intergovernmental processes initiated to draft or revise such standards.

United Nations standards and norms

Treatment of prisoners

- Standard Minimum Rules for the Treatment of Prisoners (1957—currently updated as draft Mandela Rules)
- Basic Principles for the Treatment of Prisoners (1990)
- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988)

Alternatives to imprisonment

- United Nations Standard Minimum Rules for Non-custodial Measures—“the Tokyo Rules” (1990)
- Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters (2000)

Women offenders and prisoners

- United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders—“the Bangkok Rules” (2010)
- Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2010)

Children deprived of their liberty

- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985)
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990)
- United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (2014)

Foreign prisoners

- Model Agreement on the Transfer of Foreign Prisoners and Recommendations on the Treatment of Foreign Prisoners (1985)

Access to legal aid

- United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (2012)

Crime prevention

- United Nations Guidelines for the Prevention of Crime (2002)
- United Nations Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention (1995)
- United Nations Guidelines for the Prevention of Juvenile Delinquency—Riyadh Guidelines (1990)

THE RIGHT SUPPORT



Technical assistance: in the period 2010-2014, UNODC supported more than 60 countries in developing and implementing crime prevention and criminal justice policies and strategies.

UNODC's portfolio of programmes and services related to prison reform and alternatives to imprisonment benefited countries on all continents, including Afghanistan, Albania, Ethiopia, Georgia, Iran (Islamic Republic of), Iraq, Kenya, Kyrgyzstan, Lebanon, Mauritius, Mexico, Myanmar, Nigeria, Pakistan, Panama, Paraguay, Seychelles, Somalia, Thailand, Viet Nam and the State of Palestine.



ACHIEVEMENTS IN 2014

CRIME PREVENTION, IN PARTICULAR YOUTH CRIME

Development of a national crime prevention strategy • Ethiopia
Crime prevention assessments • Kyrgyzstan, Myanmar
Youth and community-based crime prevention projects • Brazil, Colombia, Kenya

SENTENCING POLICIES AND ALTERNATIVES TO IMPRISONMENT

Criminal justice assessment and capacity-building activities • Ethiopia
Expert meetings and policy advice on alternatives to imprisonment • Iran (Islamic Republic of), Mexico, Peru
Development of the new criminal executive code • Kyrgyzstan

ACCESS TO JUSTICE AND LEGAL AID

Development and review of national legal aid policies • Ethiopia, Nigeria, Somaliland, Viet Nam
Workshops on access to legal aid • Iran (Islamic Republic of), Sahel Region
Promotion of legal aid for offenders • Kyrgyzstan

PRISON MANAGEMENT

Prison assessments • Ethiopia, Georgia, Nigeria, Tajikistan
Workshops on improving prison management • Iraq, Paraguay, Sahel Region
Study tour for prison managers on international human rights standards and health • Nepal
Development of new prison rules and capacity-building initiatives • Pakistan
Enhancing prison infrastructure • Kenya, Kyrgyzstan, Somaliland

CHILDREN IN CONFLICT WITH THE LAW

Training criminal justice officials on restorative justice for children • Colombia, Peru
Rehabilitation and reintegration project for young male offenders • Egypt
Development of United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice • Global

WOMEN OFFENDERS AND WOMEN PRISONERS

National workshops on the Bangkok Rules • Iraq, Viet Nam
Regional workshops on the Bangkok Rules • Latin America, South-Eastern Europe
Capacity-building and training of trainers • Panama

SOCIAL REINTEGRATION AND RECIDIVISM PREVENTION

Vocational and educational training for prisoners to foster social reintegration • Afghanistan
Penal reform programme • Lebanon
Assessment of prison-based rehabilitation programmes • Albania

Painting therapy workshop in a prison set up with UNODC support in Jenin, State of Palestine (2010).

The high security prison facility in Garowe, Puntland State of Somalia was designed and constructed with UNODC support (Piracy Transfer Programme, 2014).

Greenhouses and hydroponics operated by prisoners, a rehabilitation programme supported by UNODC in Panama City (2014).

UNODC entry-level training for 30 Somaliland custodial staff, including 13 female entrants (2014).



THE RIGHT TOOLS

Through its Criminal Justice Handbook Series and other relevant publications, UNODC has at its disposal a variety of technical guidance material related to penal reform and HIV/AIDS prevention, care and treatment in prison settings.

A SELECTION OF RELEVANT UNODC PUBLICATIONS

HIV/AIDS Prevention, Care, Treatment and Support in Prison Settings:
A Framework for an Effective National Response (2006)^a

Handbook of Basic Principles and Promising Practices on Alternatives to Imprisonment (2007)

Handbook on Prisoner File Management (2008)

Handbook on Prisoners with Special Needs (2009)

Handbook for Prison Leaders (2010)

Handbook on the International Transfer of Prisoners (2012)

Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders (2012)

Handbook on Strategies to Reduce Overcrowding in Prisons (2013)^b

Model Law on Juvenile Justice and Related Commentary (2013)

Good Governance for Prison Health in the 21st Century—A Policy Brief on the Organization of Prison Health (2013)^c

Handbook on Women and Imprisonment (2nd edition, 2014)

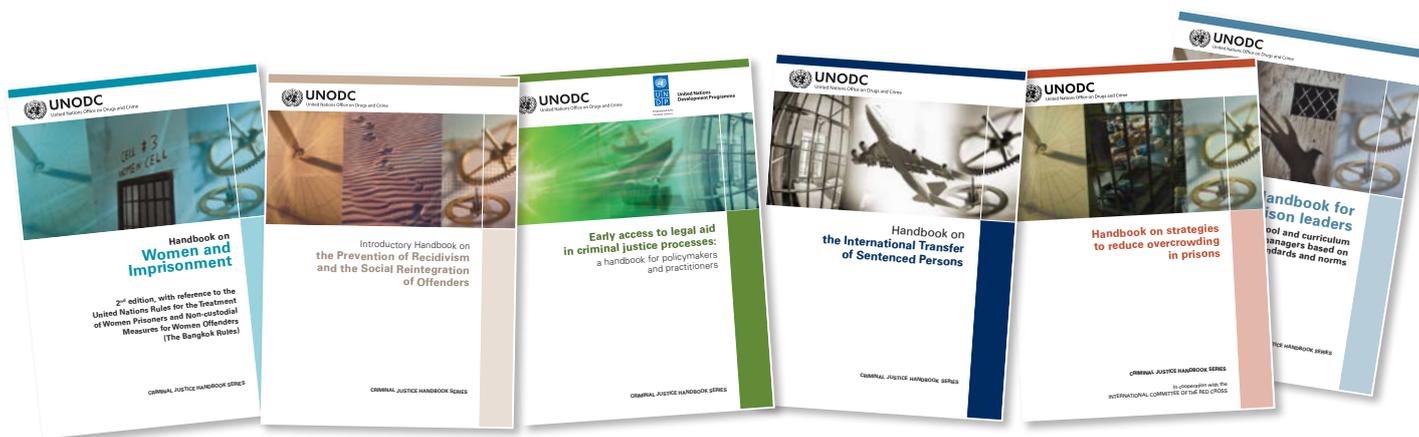
Handbook on Early Access to Legal Aid in Criminal Justice Processes (2014)^d

^a In cooperation with the International Labour Organization, UNAIDS, the United Nations Development Programme and the World Health Organization.

^b In cooperation with the International Committee of the Red Cross.

^c In cooperation with the World Health Organization, Regional Office for Europe.

^d In cooperation with the United Nations Development Programme.

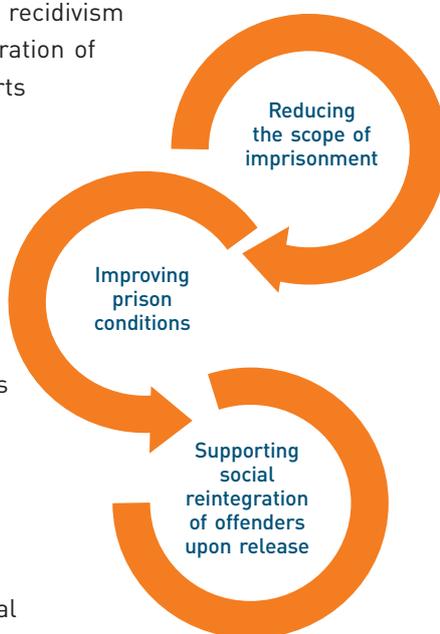


THE RIGHT STRATEGY

Taking into account the various factors that contribute to the prison crisis and UNODC's mandate areas, including HIV/AIDS prevention, care and treatment, the Office will bolster its penal reform work through interventions under the following three strategic objectives: reducing the scope of imprisonment, improving prison conditions, and supporting social reintegration of offenders upon release.

The primary focus of the Strategy lies in supporting the initiation and implementation of penal reform programmes in Member States, thus generating tangible results in the field. It will aim to support Member States, upon request, to rationalize the resort to imprisonment, improve the way in which it is implemented and contribute to a reduction of recidivism by supporting the social reintegration of offenders. As penal reform efforts should go beyond the prison administration in order to be successful and sustainable, national counterparts will not be limited to prison administrations and probation services, but may further include legislators, policymakers and criminal justice officials from the police, prosecution authorities, legal aid providers, the judiciary and the courts.

In-depth assessments of national criminal justice systems, combined with an analysis of relevant policies and legislation, will typically serve as the basis for producing the evidence base required for interventions within and beyond the prison system. Such technical assistance will be complemented by the development of technical guidance material and the collection of relevant data.



SPECIFIC CRIMINAL JUSTICE RESPONSES FOR WOMEN

When designing and implementing penal reform programmes, particular attention will be paid to women offenders and prisoners, including promoting efforts, policies and programmes to:

- Reduce the scope of women's imprisonment and gender-specific non-custodial measures.
- Review discriminatory criminal laws and policies.
- Strengthen prison management and improve prison conditions.

PROTECTING THE RIGHTS OF CHILDREN

Children in contact with the justice system and those deprived of their liberty require policies and programmes to:

- Ensure that they have access to fair, effective and child-sensitive justice systems.
- Promote diversion and non-custodial measures for children alleged to be offenders.





DOING THE RIGHT THINGS

The funding vehicle for the implementation of this Strategy will be the Global Project GLOT63 – Support to Crime Prevention and Criminal Justice Reform. For the period 2015-2017, UNODC will prioritize the following outputs, which would require financial contributions of US\$ 5 million.

GLOBAL TOOLS

- Practical guidelines on alternatives to imprisonment
- Handbook on the management of violent extremist offenders
- Handbook on corruption in prisons
- Model electronic prisoner file management system
- Tool for monitoring and complaint systems in child detention facilities
- Technical guidance on rehabilitation programmes and post-release support
- Regional study on the profile of women prisoners
- Global study on legal aid

FIELD-BASED TECHNICAL ASSISTANCE

- Advisory services to 10 countries to develop national strategies on crime prevention and prison reform
- Fourteen national training events on one or more of the following topics: crime prevention; reducing prison overcrowding and pre-trial detention; alternatives to imprisonment; prison management; treatment of women in detention; treatment of children deprived of their liberty; and social reintegration
- Seven regional capacity-building activities on one or more of the following topics: crime prevention; reducing prison overcrowding and pre-trial detention; alternatives to imprisonment; prison management; treatment of women in detention; treatment of children deprived of their liberty; and social reintegration



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